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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,326	02/26/2004	Nicolas G. Adiba	SVL920040008US1 3055P

SAWYER LAW GROUP LLP  
P.O. Box 51418  
Palo Alto, CA 94303



CONFIRMATION NO. 9418  
FORMALITIES LETTER



\*OC000000012700061\*

Date Mailed: 05/18/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

**Filing Date Granted**

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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07/21/2004 MAHME1 00000029 090460 10789326

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***A copy of this notice MUST be returned with the reply.***

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## TRANSMITTAL FORM

Attorney Docket No.  
**SVL920040008US1/3055P**In re the application: **Nicolas ADIBA et al.** Confirmation No.: **9418**Serial No: **10/789,326**Group Art Unit: **2171**Filed: **February 26, 2004**Examiner: **To Be Assigned**For: **Fault Tolerant Mechanism to Handle Initial Load of Replicated Object in Live System**

## ENCLOSURES (check all that apply)

<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/>	Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
<input type="checkbox"/>	(X) Copies of References	<input type="checkbox"/>	Petition	<input checked="" type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input checked="" type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer	- Copy of Notice to File Missing Parts	
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input checked="" type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxx month(s), from to .			
<input checked="" type="checkbox"/>	Executed Declaration by Inventor(s)				

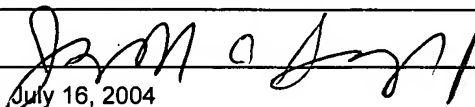
## CLAIMS

FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	37	37	0	\$18.00	\$ 0.00
Independent Claims	3	3	0	\$86.00	\$ 0.00
				Total Fees	\$ 0.00

## METHOD OF PAYMENT

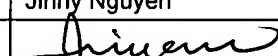
<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input checked="" type="checkbox"/>	Charge <b>\$130.00</b> to Deposit Account No. 09-0460 (IBM Corporation) for payment of surcharge fee.
<input checked="" type="checkbox"/>	Charge any additional fees or credit any overpayment to Deposit Account No. 09-0460 (IBM Corporation).

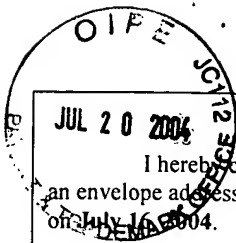
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	July 16, 2004

## CERTIFICATE OF MAILING

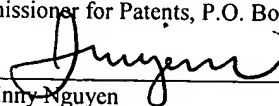
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: **July 16, 2004**

Type or printed name	Jinny Nguyen
Signature	



CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 16, 2004.

  
Jinny Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: July 16, 2004

Nicolas ADIBA et al.

Confirmation No.: 9418

Serial No.: 10/789,326

Group Art Unit: 2171

Filed: February 26, 2004

Examiner: To Be Assigned

For: FAULT TOLERANT MECHANISM TO HANDLE INITIAL LOAD OF  
REPLICATED OBJECT IN LIVE SYSTEM

Mail Stop Missing Parts  
Commissioner for Patents  
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RESPONSE TO NOTICE TO FILE MISSING PARTS

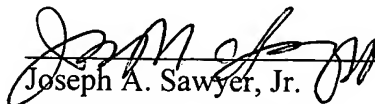
Sir:

In response to the Notice to File Missing parts dated May 18, 2004, Applicant submits herewith the executed Declaration for the above-referenced patent application.

The Commissioner is authorized to charge **\$130.00** to Deposit Account 09-0460 (IBM Corporation) for payment of the surcharge fee in accordance with 37 CFR 1.16(e). If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,  
SAWYER LAW GROUP LLP

July 16, 2004  
Date

  
Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540